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10/728,160	12/04/2003	Puthukode G. Ramachandran	AUS920030976US1	6788
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IBM CORP (YA)			EXAMINER	
C/O YEE & ASSOCIATES PC			ALVESTIEFFER, STEPHEN D	
P.O. BOX 802333				
DALLAS, TX 75380				
		ART UNIT		PAPER NUMBER
		2175		
		NOTIFICATION DATE		DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptonotifs@yeciipaw.com

Office Action Summary**Application No.**

10/728,160

Applicant(s)RAMACHANDRAN, PUTHUKODE
G.**Examiner**

Stephen Alvesteffer

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-12,14-18,20,21,23 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-12,14-18,20,21,23 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This Office Action is responsive to the Request for Continued Examination (RCE) filed August 26, 2010. Claims 1, 2, 9, 10, 15, 16, and 21 are amended. Claims 5, 13, and 19 are cancelled. Claim 22 was previously cancelled. Claims 1, 9, 15, and 21 are independent. Claims 1-4, 6-12, 14-18, 20-21, 23, and 24 remain pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 6-11, 14-17, 20, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldstein et al. (hereinafter Goldstein), United States Patent Application Publication 2003/0221167, Pagan, United States Patent Application Publication 2003/0169304, and IBM Technical Disclosure Bulletin NNRD455178, published March 2002 (hereinafter IBM).

Regarding claim 1, Goldstein substantially teaches a method in a data processing system for managing display of a new document, the method comprising data processing system implemented steps of:

displaying, in response to receiving an initial user input indicating that the new document is to be displayed, a menu of commands associated with opening the new document including: (i) a current browser window command, (ii) a new browser window command, and (iii) a selected browser window command (see Goldstein Figure 3, Figure 8, and paragraph [0096]; *"the software presents a Select Target Window 52, that displays an Open Window List 54 of all open Custom Selection Windows, which are preferably identified by the Description 30 entered by the User when creating the windows"*);

concurrently displaying, in response to receiving another user input selecting the selected browser window command from the menu of commands, a list of currently active browser windows including an indication of a presently displayed document in each respective browser window in the list of currently active browser windows, wherein the list of currently active browser windows, including the indication of the presently displayed document in each respective browser window in the list of currently active browser windows, that is concurrently displayed is a list consisting of all currently active browser windows (Pagan, addressed below); and

replacing, in response to a user selection of a browser window from the list of currently active browser windows, a document displayed in the browser window with the new document (see Goldstein paragraph [0097], *"Upon the selection of an open Custom Selection Window as the target, the software displays the selected Custom Selection Window 34, which includes the frame 48 occupied by the existing content item 18 and a blank frame 50 (as shown in FIG. 6)"*; see also IBM, addressed below).

Goldstein does not teach in its entirety the limitation of *"concurrently displaying, in response to receiving another user input selecting the selected browser window command from the menu of commands, a list of currently active browser windows including an indication of a presently displayed document in each respective browser window in the list of currently active browser windows, wherein the list of currently active browser windows, including the indication of the presently displayed document in each respective browser window in the list of currently active browser windows, that is concurrently displayed is a list consisting of all currently active browser windows"*.

Goldstein only teaches an "Amplify" command that when selected, displays the list of currently open Custom Selection Windows that can be selected to display a new document (see Goldstein Figure 8 and paragraph [0096]; *"the software presents a Select Target Window 52, that displays an Open Window List 54 of all open Custom Selection Windows, which are preferably identified by the Description 30 entered by the User when creating the windows"*). However, Goldstein's Amplify command does not display a list of all open browser windows, only all open "Custom Selection Windows".

Pagan teaches displaying a listing of all open document windows associated with the application, including an indication of currently active open document windows (see Pagan Figure 2 and paragraph [0019], *"In accordance with the inventive arrangements, a pull-down menu item of the menu-bar can include a menu listing 240 of open document windows associated with the application. As will be apparent from FIG. 2, the menu listing 240 further can indicate the currently activated open document window."*).

Furthermore, the listing of open document windows can have pre-defined window

manipulation operations attached to them so that selection of one of the currently open windows in the menu can perform more than a simple window activation and focus operation as was well known in the art (see Pagan paragraph [0020], “*Advantageously, each open document window listed in the menu listing 240 can include a corresponding interactive graphical user interface element 250, for example a button. Each interactive graphical user interface element 250, in turn can trigger the execution of a pre-defined window manipulation operation, for example a window close operation, a document save operation, or a window print operation. In any case, the invention is not to be limited strictly to the window manipulation operations specified herein, and any such window manipulation operation can suffice.*”). It would have been obvious to one having ordinary skill in the art at the time the invention was made to display a listing of all open windows as taught by Pagan in the web browsing application of Goldstein so that users can add content to any open browser window and not only specially created Custom Selection Windows.

Goldstein also does not teach every element of “*replacing, in response to a user selection of a browser window from the list of currently active browser windows, a document displayed in the browser window with the new document*”. While Goldstein does teach opening the selected content in a frame of a selected Custom Selection Window (see Goldstein paragraph [0097], “*Upon the selection of an open Custom Selection Window as the target, the software displays the selected Custom Selection Window 34, which includes the frame 48 occupied by the existing content item 18 and a blank frame 50 (as shown in FIG. 6)*”), Goldstein does not teach replacing the content of

a Custom Selection Window in its entirety. IBM teaches entirely replacing the contents of a selected ICON window with contents of a selected new document through a drag and drop operation (see IBM 2nd paragraph; *"To open a link using the same window, the user would select a link and drag/drop it to one of the ICONs. The browser will then open a new browser window (if this is the first operation) and load the link in it. Subsequent links that are dragged to the ICON will load in that same window"*). It would have been obvious to one having ordinary skill in the art at the time the invention was made to allow users to replace the contents of an open browser window as taught by IBM in the invention of Goldstein/Pagan in order to reuse a no longer needed Custom Selection Window and save system resources (see IBM 1st paragraph; *"This disclosure provides a way to allow links to open in a designated window saving system resources"*; see also Goldstein paragraph [0007]; *"by opening another fully enabled browser instance, users consume more memory resources than one browser instance would consume"*). Goldstein further acknowledges both drag and drop input and menu-based input in paragraph [0083], *"it should be noted that content items (and groups of content items) can be selected using the standard "click and drag" method and then the "right click" method"*.

Regarding claim 2, Goldstein/Pagan/IBM teaches promoting the browser window to a top of a window hierarchy such that the browser window is subsequently used when displaying another new document when the current browser window command is selected during a subsequent opening of the another new document (see Pagan paragraph [0005], *"To activate a particular document window, typically the*

document window can be selected graphically with a pointing device, or by pull-down menu"; see also Pagan paragraph [0017], "a selected open document window in the pull-down menu list can be manipulated through another open document window without requiring the activation of the selected open document window.").

Regarding claim 3, Goldstein/Pagan/IBM teaches that the indication is a document name from a title bar for each respective browser window (see IBM 2nd paragraph; *"When the user positions the pointer over one of the ICONs, a popup will display the URL/title of the contents loaded in the window represented by that ICON"*).

Regarding claim 6, Goldstein/Pagan/IBM teaches that the receiving step and the replacing step are performed by a Web browser (see IBM 2nd paragraph; *"The user can use the browser's history function (the browser in the new window) to reload any URLs that have been loaded in the window"*).

Regarding claim 7, Goldstein/Pagan/IBM teaches that the new document is selected from one of a Web page, an image, or a spreadsheet (see IBM 1st paragraph; *"When viewing an HTML document containing links to other web content, clicking on a link will cause the link to open in a new window if the html specifies that behavior"*).

Regarding claim 8, Goldstein/Pagan/IBM teaches that the user input is received in a currently active browser window (see IBM 2nd paragraph; *"The browser is designed to have one or more ICONs each representing a browser window. These ICONs are located on the browser's menu bar (or some other location). To open a link using the same window, the user would select a link and drag/drop it to one of the ICONs"*).

Claims 9-11 and 14 recite a data processing system having substantially the same limitations as the method of claims 1-3, and 6, respectively. Therefore, the claims are rejected under the same rationale.

Claim 15-17 and 20 recite a computer program product system having substantially the same limitations as the method of claims 1-3 and 6, respectively. Therefore, the claims are rejected under the same rationale.

Claim 21 recites a data processing system having substantially the same limitations as the method of claim 1. Therefore, claim 21 is rejected under the same rationale.

Regarding claim 23, Goldstein/Pagan/IBM teaches that the initial user input selects a hyperlink that is a uniform resource locator (URL) of the new document to be displayed (see IBM 2nd paragraph; "*the user would select a link and drag/drop it to one of the ICONs*").

Claims 4, 12, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldstein (US 2003/0221167) *supra*, Pagan (US 2003/0169304) *supra*, IBM (NNRD455178) *supra*, and Ludolph et al. (hereinafter Ludolph), United States Patent 6,133,898.

Regarding claim 4, Goldstein/Pagan/IBM teaches every limitation of claim 4 except that the indication is a thumbnail of the document displayed in each respective browser window. However, displaying thumbnail indications of open windows is not new. Ludolph teaches displaying thumbnail indications of open windows (see Ludolph

column 15 line 66 through column 16 line 23; *"Open windows on the desktop 20 may be dragged or placed into the drawer space 30 of the present invention... The open windows when placed into the drawer space 30 do not remain in full size. Upon being placed into the drawer space 30, the open windows undergo a shrinking process whereby they compress from their normal display size to a size roughly the size of two icons in area. At this point the compressed window or "thumbnail" window is allowed to enter the drawer space 30. Thumbnail windows may not be accessed for their contents, but serve only a display function... To regain access to the window and its contents, it must be dragged or placed out of the drawer region 30 and placed back out in the other Finder.TM. environment").* It would have been obvious to one having ordinary skill in the art at the time the invention was made to show thumbnail indications of open windows as taught by Ludolph in the application of Goldstein/Pagan/IBM so that users may more easily identify the active window they wish to select.

Claim 12 recites a data processing system having substantially the same limitations as the method of claim 4. Therefore, claim 12 is rejected under the same rationale.

Claim 18 recites a computer program product system having substantially the same limitations as the method of claim 4. Therefore, claim 18 is rejected under the same rationale.

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldstein (US 2003/0221167) *supra*, Pagan (US 2003/0169304) *supra*, IBM

(NNRD455178) *supra*, and Wishoff, United States Patent Application Publication 2002/0051017.

Regarding claim 24, Goldstein/Pagan/IBM teaches every limitation of claim 24 except that the window hierarchy is represented by the list of currently active browser windows, and the browser window is presented as a first item in the list of currently active browser windows when the list of currently active browser windows is next displayed in response to subsequent user input. However, it was well known in the art at the time the invention was made to dynamically order menus according to how recently the menu items were selected (see Wishoff paragraph [0056]; "*The second level displays a list of documents that the corresponding application has loaded. Documents are added to the top of the second level menus such that the most recently accessed documents will be at the top of the menu*"). It would have been obvious to one having ordinary skill in the art at the time the invention was made to list the most currently accessed browser windows at the top of the menu as taught by Wishoff in the invention of Goldstein/Pagan/IBM so that users can more easily find recently opened windows.

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Klinger et al. (US 5,404,316) Desktop digital video processing system

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Alvesteffer whose telephone number is (571)270-1295. The examiner can normally be reached on Monday-Friday 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on (571)272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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